

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

L.E.A., *et al.*,

*Plaintiffs,*

v.

BEDFORD COUNTY SCHOOL BOARD, *et al.*,

*Defendants.*

CIVIL NO. 6:15-cv-00014

Memorandum Opinion

JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiffs' Motion for Reconsideration (docket no. 25). Plaintiffs seek reconsideration of my order denying their Motion for Preliminary Injunctive Relief. For the reasons that follow, I will deny Plaintiffs' motion.

**I.**

A court may reconsider a nonfinal judgment. "The purpose of a motion for reconsideration is to correct manifest errors of law or fact or to present newly discovered evidence," and because of the interest in finality, "courts should grant motions for reconsideration sparingly." *Dayoub v. Penn-Del Directory Co.*, 90 F. Supp. 2d 636, 637 (E.D. Pa. 2000) (citations and quotations omitted); *see also Madison River Mgmt. Co. v. Bus. Mgmt. Software Corp.*, 402 F. Supp. 2d 617, 619 (M.D.N.C. 2005) ("A motion to reconsider is appropriate when the court has obviously misapprehended a party's position or the facts or applicable law, or when the party produces new evidence that could not have been obtained through the exercise of due diligence."). A motion to reconsider may also be appropriate where the Court has misunderstood a party or has made a decision outside the adversarial issues presented by the parties. *Above the Belt, Inc. v. Mel Bohannon Roofing, Inc.*, 99 F.R.D. 99, 101

(E.D. Va. 1983). A controlling or significant change in the law or the facts also provides a potential basis for a motion for reconsideration. *Id.*

## II.

With respect to my ruling on Plaintiffs' likelihood of success on the merits, Plaintiffs point to no intervening change in law nor has it submitted any evidence that was previously unavailable. Plaintiffs merely repeat their argument from their brief in support of preliminary injunctive relief and ask this Court to arrive at a different conclusion. A motion to reconsider is inappropriate where it merely reiterates previous arguments. *Above the Belt, Inc.*, 99 F.R.D. at 101 (denying a motion for reconsideration where it "served no function at all, other than reiteration"). Plaintiffs also seek to introduce new evidence in an effort to show that the equities weigh in its favor. Because a likelihood of success on the merits is required for preliminary injunctive relief, Plaintiffs must first show that my ruling in this respect was deficient. Yet Plaintiffs have not done so, and there is therefore no basis for granting Plaintiffs' motion.

## III.

For the foregoing reasons, Plaintiffs' Motion for Reconsideration (docket no. 25) will be denied by separate order.

ENTERED: July 21, 2015

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE